

Application No. 10/766,939
Reply to Office Action dated June 25, 2007

Attorney Docket No. FS-F03228-01

REMARKS

I. Amendment

In the present Amendment, claims 1, 3 and 24 have been amended, and claims 4, 12 and 13 have been cancelled. Claim 27 has been newly added. Claims 1-3, 5-7, 9-11, 21-24, and 26-27 are currently pending in the application.

II. Rejections under 35 U.S.C. § 103(a)

Claims 1-7, 9-12, 14, and 21-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada et al (US Patent No. 6,210,983), Siga et al. (US Patent No. 4,332,889) and Toya et al. (US Patent No. 5,656,419). Claim 13 was rejected over this combination of references and further in view of Toya et al. (US Patent No. 5,998,126).

The Examiner's position appears to be as follows.

- (1) Although the invention specified by claim 1 of the present invention is related to the process of thermally developing the imagewise-exposed photothermographic material with a developing time of 1 to 12 seconds, the thermal developing temperature is not recited in claim 1.
- (2) Applicant's opinion of the patentability based on the results, such as "unprocessed storability" which was shown in the Declarations submitted on August 4, 2005, March 20, 2006, and November 14, 2006 is not well-taken.

Namely,

- The process specified by claim 1 is only specified by the heating time and is over a range of the embodiment of the specification and the comparative test of the Declarations.
- The improvement of the unprocessed storability property is not inherently related to the process, but to the composition of the photothermographic material.
- An evaluation result of unprocessed storability cannot be achieved by heat developing time alone, but the exposure, method of heating and heating temperature.
- An evaluation result of unprocessed storability is based on the silver iodide content of the silver halide, rather than the use in combination with the

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absorbed type reducing agent represented by the Formula (1).

Amended claim 1 incorporates the limitation of a developing temperature of 110 to 140 °C (claim 4), the limitation of a semiconductor blue laser which has a light emission peak intensity within a wavelength range of 350 to 450 nm (claim 12 and 13).

Further amended claim 1 incorporates the limitation such that in the structure of an adsorbable redox compound represented by Formula (I), B represents a reducing group that is capable of reducing silver ions and is a residue derived from a compound represented by Formula B₁₃.

Regarding amended claim 24, the scope of the absorbable redox compounds is limited to the scope of the compounds to formula (71) to (79).

Regarding newly added claim 27, the claim is supported in the present specification on page 165, line 18 to page 166, line 11.

In amended claim 1, the thermal developing temperature is clearly recited. The cited references do not disclose any adsorbable redox compound represented by Formula (I), wherein in Formula (I) B represents a reducing group that is capable of reducing silver ions and is a residue derived from a compound represented by Formula B₁₃.

The invention of amended claim 1 is in essence characterized by a combination of a photothermographic material with process conditions of exposure and development.

All comparative results, such as “unprocessed storability” by the comparative tests which were submitted in the Declarations dated on August 4, 2005, March 20, 2006, and November 14, 2006 are the results of being obtained under the specific process conditions described in amended claim 1. In the comparative tests which were shown in the Declarations, the properties of the “unprocessed storability” and the like by heat developing time are compared not only about the difference in the silver iodide content of the silver halide, but also about the difference between the adsorbed type reducing agent represented by the Formula (I) and reducing agents other than the Formula (I). The invention is based on the combination of a specific photosensitive material, specific exposure conditions, and specific development

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conditions, and that this combination provides the unexpectedly remarkable improvement effect. Thus, we believe the presently claimed invention as recited in amended claims is not obvious in view of the combination of references.

III. Conclusion

In view of the foregoing amendments and remarks, it is submitted that all of the claims currently pending in the application are in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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